



IFW

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

NAKATA, Hidetoshi, et al.

Group Art Unit: 1756

Serial No.: 10/678,256

Examiner: Shean Chiu WU

Filed: October 6, 2003

P.T.O. Confirmation No.: 1988

FOR: LIQUID CRYSTAL COMPOSITION AND LIQUID CRYSTAL DISPLAY
ELEMENT

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

April 18, 2005

This is in response to the Office Action of March 18, 2005, requiring election among various species of the subject invention under the provisions of 35 USC § 121.

In the Office Action, it was indicated that claim 1 was generic to a number of species of the invention as disclosed in the specification. It was therefore required that applicants elect a single disclosed species for prosecution on the merits to which the claims shall be restricted in the event the generic claim was not found to be allowable. Specifically, the applicants must elect a specific chiral hematic liquid crystal composition comprising at least one optically active compound (I-a) and at least one optically active compound of formula (II-a) and/or a compound of formula (IV) and/or at least one compound selected from formulae (III) and (V), which the compounds selected from above formulae must include specific chemical structure (i.e., the notations, R, A, Z, Y, L, P and S and/or m, n, t, p and X should be defined). It was further required that applicants state the claims which read

on the elected species.

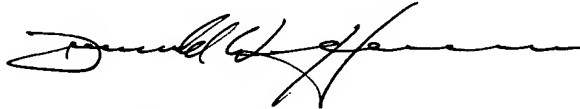
Applicants hereby elect the species represented by formula (VI-e) for the optically active compounds of the general formula (I-a) and the species represented by formula (VII-h) for the optically active compounds of the general formula (II-a). These species are the subject of Example 2 starting on page 48 of the subject specification and the respective formula for each is set forth on page 46 of the subject specification. It is submitted that claims 1 through 18 read on the elected species.

Favorable consideration of the subject application is respectfully requested.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2395, along with any other additional fees which may be required with respect to this response.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP



Donald W. Hanson
Attorney for Applicants
Reg. No. 27,133

Atty. Docket No. 031740
Suite 1000, 1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930
DWH/nk



23850

PATENT TRADEMARK OFFICE